AJN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2370 OF 2005

Abdul Azim L. Telgi ... Petitioner

Vs.

State of Maharashtra ... Respondent

Ms. Sonia Miskin Advocate (appointed) for the petitioner.

Mr. K.V. Saste, Additional Public Prosecutor for the respondent-State.

CORAM : SMT. RANJANA DESAI & D.G. KARNIK, JJ.

DATED : 18TH APRIL, 2006.

P.C.:-

1. The present petitioner is the co-accused of one Dilip Pandurang Kamath in Special Case No.2 of 2003 pending before the Special Court (MCOC Court) at Pune. This case is commonly known as Telgi Stamp Scam Case.

2. According to the petitioner, his detention is illegal because on 5/5/2005 and 28/6/2005 his custody was merely extended without any order and the Additional Sessions Judge before whom the case was placed was not appointed as the Judge of the Special Court by appropriate notification by

following the correct procedure. Similar submission raised by co-accused Dilip Kamath and others in Writ Petition No.1483 of 2005 was rejected by this court by delivering an exhaustive judgment in *Dilip Pandurang Kamath & Ors. v. State of Maharashtra, 2005 All M.R. (Cri.) 3017*. Hence, the present petition cannot be entertained. It is rejected.

[SMT. RANJANA DESAI, J.]

[D.G. KARNIK, J.]

AJN

LORD AYYAPPA -